

16523 U.S. PTO
121503

Practitioner's Docket No. SPIN-1 CONT

PATENT

Preliminary Classification:

Proposed Class:

Subclass:

16523 U.S. PTO
10/736259

121503

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

NEW APPLICATION TRANSMITTAL

Transmitted herewith for filing is the patent application of

Inventor(s): Michael L. Kazar; Daniel S. Nydick; Richard N. Sanzi, Jr.; Fred Gohh; Ronald P. Bianchini, Jr.; Benjamin Speiser

For (title): METHOD AND SYSTEM FOR RESPONDING TO FILE SYSTEM REQUESTS

1. Type of Application

This application is for a continuation.

2. Benefit of Prior U.S. Application (35 U.S.C. §§ 119(e), 120, or 121)

The new application being transmitted claims the benefit of prior U.S. application. Enclosed are ADDED PAGES FOR NEW APPLICATION TRANSMITTAL WHERE BENEFIT OF PRIOR U.S. APPLICATION CLAIMED.

EXPRESS MAILING UNDER 37 C.F.R. § 1.10*

(Express Mail label number is *mandatory*.)

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I hereby certify that this paper, along with any document referred to, is being deposited with the United States Postal Service on this date December 15, 2003, in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 as "Express Mail Post Office to Addressee" Mailing Label No. EL700961912US.

Date: 12/15/03

Tracey L. Milka

Type or print name of person mailing paper

Tracey L. Milka

Signature of person certifying

WARNING: Certificate of mailing (first class) or facsimile transmission procedures of 37 C.F.R. 1.8 cannot be used to obtain a date of mailing or transmission for this correspondence.

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"Since the filing of correspondence under § 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will not be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.

3. Papers Enclosed

A. Required for filing date under 37 C.F.R. § 1.53(b) (Regular) or 37 C.F.R. § 1.153 (Design) Application

36 Page(s) of Specification
7 Page(s) of Claims
6 Sheet(s) of Drawing(s)--Formal

B. Other Papers Enclosed

4 Page(s) of declaration and power of attorney
1 Page(s) of abstract

4. Declaration or Oath

Enclosed

Executed by:

* inventors.

5. Inventorship Statement

The inventorship for all the claims in this application is the same.

6. Language

English

7. Fee Calculation (37 C.F.R. § 1.16)

Regular Application

CLAIMS AS FILED										
Number Filed		Number Extra				Rate		Basic Fee 37 C.F.R. § 1.16(a) 770.00		
<hr/>										
Total Claims (37 C.F.R. § 1.16(c))		26	–	20	=	6	x \$	18.00	= \$	108.00
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Independent Claims (37 C.F.R. § 1.16(b))		4	–	3	=	1	x \$	86.00	= \$	86.00

Multiple Dependent Claim(s), if any (37 C.F.R. § 1.16(d))	+ \$	290.00	= \$	0.00
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Filing Fee Calculation	\$964.00
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8. Assertion of Small Entity Status

Applicant hereby asserts status as a small entity under 37 C.F.R. § 1.27.

Status as a small entity was asserted in the prior application 09/732,121 filed on December 7, 2000 from which benefit is being claimed for this application under 35 U.S.C. § 120 and which status as a small entity is still proper and asserted for this application.

A copy of the written assertion of small entity filed in the prior application is included.

Filing Fee Calculation (50% of above Filing Fee Calculation)	<u>\$482.00</u>
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9. Fee Payment Being Made at This Time

Enclosed

Filing Fee	\$482.00
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Total Fees Enclosed	\$482.00
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10. Method of Payment of Fees

Attached is a check in the amount of \$482.00.
A duplicate of this paper is attached.

11. Instructions as to Overpayment

Credit Account No. 19-0737.

**ADDED PAGES FOR APPLICATION TRANSMITTAL WHERE BENEFIT OF PRIOR U.S.
APPLICATION CLAIMED
(37 C.F.R. § 1.78)**

12. Relate Back

Amend the specification by inserting, before the first line following the title, the following sentence:

A. 35 U.S.C. Sections 120, 121 and 365(c)

"This application is a continuation of copending applications

Application number 09/732,121 filed on December 7, 2000."

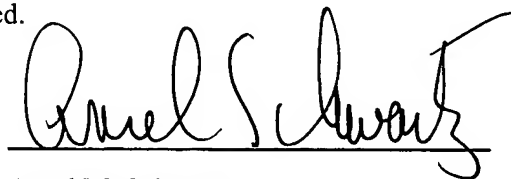
13. Further Inventorship Statement Where Benefit of Prior Application(s) Claimed

- (a) This application discloses and claims only subject matter disclosed in the prior application whose particulars are set out above and the inventors in this application are the same.

14. Small Entity (37 C.F.R. Section 1.28(a))

Applicant has established small entity status by the filing of a statement in parent application 09/732,121 on December 7, 2000.

A copy of the statement previously filed is included.



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